

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

V.

1:17CR-00224-AT-CMS

ALLAN PENDERGRASS

PRELIMINARY MOTION TO DISMISS BASED ON DOUBLE JEOPARDY

Comes now Defendant, by and through counsel and respectfully moves to dismiss this matter based on double jeopardy grounds and shows this Court as follows:

1.

As this Court is aware, Defendant was brought by writ into this District after serving time in another District. The matter he was convicted of may be related to this matter. Defendant would like to perfect this Motion if appropriate, after a review of the enormous amount of evidence in both cases. Defendant would like to inquire on this issue and so if any did occur and of so to amend this motion.

WHEREFORE, Defendant prays;

1. That a hearing be held,
2. That if said indictment is violative of the double jeopardy clause it be dismissed and
3. For such other relief that this Court deems appropriate.

Respectfully submitted,

S/Robert H. Citronberg

Robert H. Citronberg
Attorney for Defendant(CJA)
State Bar #126275

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing motion was served electronically on:

Mr. Jeff Brown
Assistant United States Attorney
75 Spring St., SW
Atlanta, Ga. 30303.

This 24th day of August, 2017

S/Robert H. Citronberg

Robert H. Citronberg
Attorney for Defendant

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